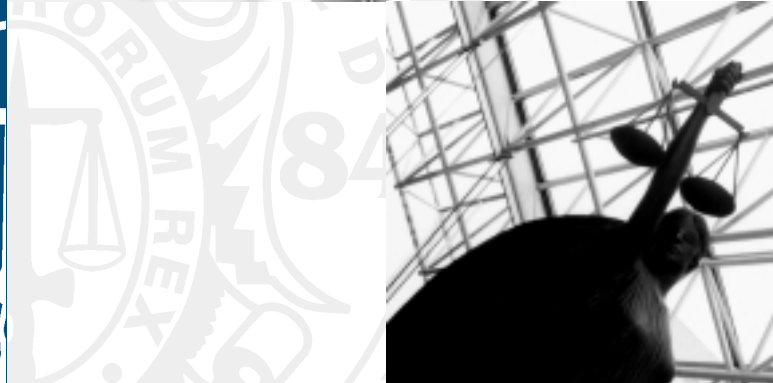




Annual Report



1999

The Law Society
of British Columbia





PRESIDENT AND VICE-PRESIDENTS

Warren T. Wilson, Q.C., *President*
Karl F. Warner, Q.C., *First Vice-President*
Richard S. Margetts, *Second Vice-President*

ELECTED BENCHERS

Ralston S. Alexander, Q.C.
Howard R. Berge
Jo Ann Carmichael
Robert D. Diebolt, Q.C.
William M. Everett, Q.C.
Anna K. Fung
David W. Gibbons, Q.C.
Richard C. Gibbs
Robert W. Gourlay, Q.C.
Gerald J. Kambeitz, Q.C.
Peter J. Keighley
Gerald J. Lecovin
Robert W. McDiarmid, Q.C.
D. Peter Ramsay, Q.C.
Emily M. Reid, Q.C.
Patricia L. Schmit
Jane S. Shackell, Q.C.
William J. Sullivan
G. Ronald Toews
Russell S. Tretiak, Q.C.
Ross D. Tunnicliffe
Bruce D. Woolley, Q.C.

LAY BENCHERS

Nao Fernando
Ann Howard
Wendy John
Marjorie Martin
Anita Olsen

LIFE BENCHERS

R. Paul Beckmann, Q.C.
P. Michael Bolton, Q.C.
Robert W. Bonner, Q.C.
Darrell T.B. Braidwood, Q.C.
Hon. Mr. Justice Thomas R. Braidwood
Cecil O.D. Branson, Q.C.
Trudi L. Brown, Q.C.
Hon. Mr. Justice Grant D. Burnyeat
Hon. A. Brian B. Carrothers, Q.C.
Hon. Mr. Justice Bruce I. Cohen
Hon. Mr. Justice George S. Cumming
Robert M. Dick, Q.C.
Leonard T. Doust, Q.C.
Hon. Mr. Justice Jack L.T. Edwards
Hon. Thomas K. Fisher, Q.C.
Hon. Dr. James J. Gow, Q.C.
Arthur M. Harper, Q.C.
Hon. Mr. Justice David B. Hinds
John M. Hogg, Q.C.
H. Allan Hope, Q.C.
Hon. Henry E. Hutcheon, Q.C.
Robert T.C. Johnston, Q.C.
Donald J. Lawson, Q.C.
Peter Leask, Q.C.
Hon. Hugh P. Legg, Q.C.
Hon. Charles C. Locke, Q.C.
James M. MacIntyre, Q.C.
Hon. Chief Justice Allan D. McEachern
Hon. Meredith M. McFarlane, Q.C.
Hon. Lloyd G. McKenzie, Q.C.
Brian W.F. McLoughlin, Q.C.
Colin D. McQuarrie, Q.C.
Hon. Kenneth E. Meredith
Hon. Peter J. Millward, Q.C.
Dennis J. Mitchell, Q.C.
Karen F. Nordlinger, Q.C.
Richard C.C. Peck, Q.C.
Harry Rankin, Q.C.
Norman Severide, Q.C.
Donald A. Silversides, Q.C.
Gary L.F. Somers, Q.C.
Hon. Madam Justice Mary F. Southin
Marvin R.V. Storrow, Q.C.
Benjamin B. Trevino, Q.C.
William M. Trotter, Q.C.
David W.H. Tupper, Q.C.
Alan E. Vanderburgh, Q.C.
Brian J. Wallace, Q.C.
Jack Webster

1999 Benchers



(Front row) Marjorie Martin, Second Vice-President Richard Margetts, President Warren Wilson, Q.C., First Vice-President Karl Warner, Q.C., Richard Gibbs, (second row) Gerald Kambeitz, Q.C., Gerald Lecovin, David Gibbons, Q.C., Jane Shackell, Q.C., Russell Tretiak, Q.C., Robert McDiarmid, Q.C., Anita Olsen, (third row) Ronald Toews, Howard Berge, Anna Fung, Ralston Alexander, Q.C., Ann Howard, William Everett, Q.C., (back row) Robert Gourlay, Q.C., Jo Ann Carmichael, Patricia Schmit, Peter Keighley, William Sullivan, Robert Diebolt, Q.C. (Not pictured) Nao Fernando, Wendy John, Peter Ramsay, Q.C., Emily Reid, Q.C., Ross Tunncliffe, Bruce Woolley, Q.C.

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President's report

By Warren T. Wilson, Q.C.

The cornerstone of the Law Society's mandate is ensuring the public is well served by a competent, honourable and independent legal profession. That is a serious responsibility, and one that the Law Society Benchers, staff and volunteers support through sound regulatory programs as well as innovative services to help lawyers stay at the forefront of legal practice.

We are, of course, all in this together as lawyers and we share the responsibility of earning client trust, respect and appreciation.

The last decade has been marked by profound change. The public eye is on the professions as never before, and clients approach lawyers with stronger expectations as to cost, timing and results, not to mention service. Our public opinion polling shows that people highly respect lawyers' expertise, but more must be done to explain how legal services translate into good value for money. I trust that the Law Society will help in promoting alternative dispute resolution and new approaches to offering legal services.

The 1990s have also been a time of economic transition. The B.C. economy has always had its ups and downs, with the expected ripple effect on law firms. Across North America, mergers have been on the upswing (which I've lived firsthand in my own firm) and the prospect of multidisciplinary practice could be advantageous for some firms.

I am proud of the progressive spirit the Benchers displayed in 1999. We began a serious consideration of opening the door to multidisciplinary practice, which would allow B.C.



lawyers to join up with other occupational or professional groups, even though the traditional approach of law societies has been tentative and restrictive. I am also proud of the leadership we have shown by recognizing the importance of cross-border practice for lawyers and adopting the most liberal temporary mobility rules in Canada, with Alberta and Saskatchewan soon following our example.

We took strides in 1999 to advance the profession in new technologies — by assisting the Land Title Office in

planning its e-filing initiatives, by exploring the Law Society's role as an online certification authority and by funding new online resources at the CLE Society. I confess to being very bullish on CLE during the year and urged lawyers to make a personal commitment to ongoing education. My words hit a nerve. I heard, and appreciated hearing, every viewpoint. It gave us a chance to be responsive to concerns about access, by giving lawyers CLE discount vouchers that allowed a greater choice of courses at a lower cost in 2000.

Year in review



The Law Society further expanded our practice advice services and member assistance programs during the year and we worked harder than ever to strengthen our discipline program, move through backlogged cases and conclude outstanding proceedings.

I would like to thank all the Benchers and staff for their hard work and support during my year as President, our committee and task force volunteers for the expertise and enthusiasm they brought to Law Society work and all my colleagues in the profession. They

all make me proud to say “I’m a lawyer.”

1999 highlights

Preparing for the future of online transactions

Over the past two decades, technology has profoundly transformed the lives of B.C. lawyers, and more changes are ahead to move lawyers, and the practice of law, online. In 1999 the Law Society worked tirelessly with the Land Title Office’s Electronic Filing and Registration (EFAR)

Committee to explore the legal, policy and practice issues relating to e-filing land title documents. A positive outcome of this work was a *Land Title Amendment Act*, which provides a legal framework for electronic filings. The Society also contributed towards development of an *Electronic Transactions Act*, which will recognize digital signatures.

If plans at the Land Title Office progress as anticipated, e-filing should become a reality for B.C. lawyers by 2001, and other government and court registries are likely to be close behind.

To complement these electronic services, the Law Society has worked on creating a certifying authority that will provide lawyers with identification in the form of digital signatures and verify their professional status online. The Society federally incorporated Juricert Services Inc. in 1999 to serve as this certifying body. Juricert is wholly owned by the Law Society of B.C., but structured to provide services Canada-wide and to allow other Canadian law societies to share in its ownership. The vision is for all Canadian law societies to fulfil their traditional role of verifying the professional standing of lawyers, and to enable lawyers to continue to deliver trusted legal services in the new economy.

Lending support to “CLE.web”

Another initiative of the Law Society in 1999 was to give Continuing Legal Education Society of B.C. start-up funding for “CLE.web.” This electronic service will group legal materials by area of practice and publish them electronically directly to the lawyer’s desktop.

The first phase of CLE.web — to be released in the Fall of 2000 — will encompass services provided to the profession at no cost. All lawyers will have access to summaries of media developments, practice updates, commentary, precedents, important case law and legislative developments, with links to resources on other sites as well as CLE resources. The second phase — targeted for mid-2001 — will ultimately include CLE's full publication library, consolidated legislation, e-mail delivery of the current week's media stories and other time-sensitive items, the full CLE case digest archives and enhanced search capabilities. CLE will fund this second phase and is considering a number of subscription options.

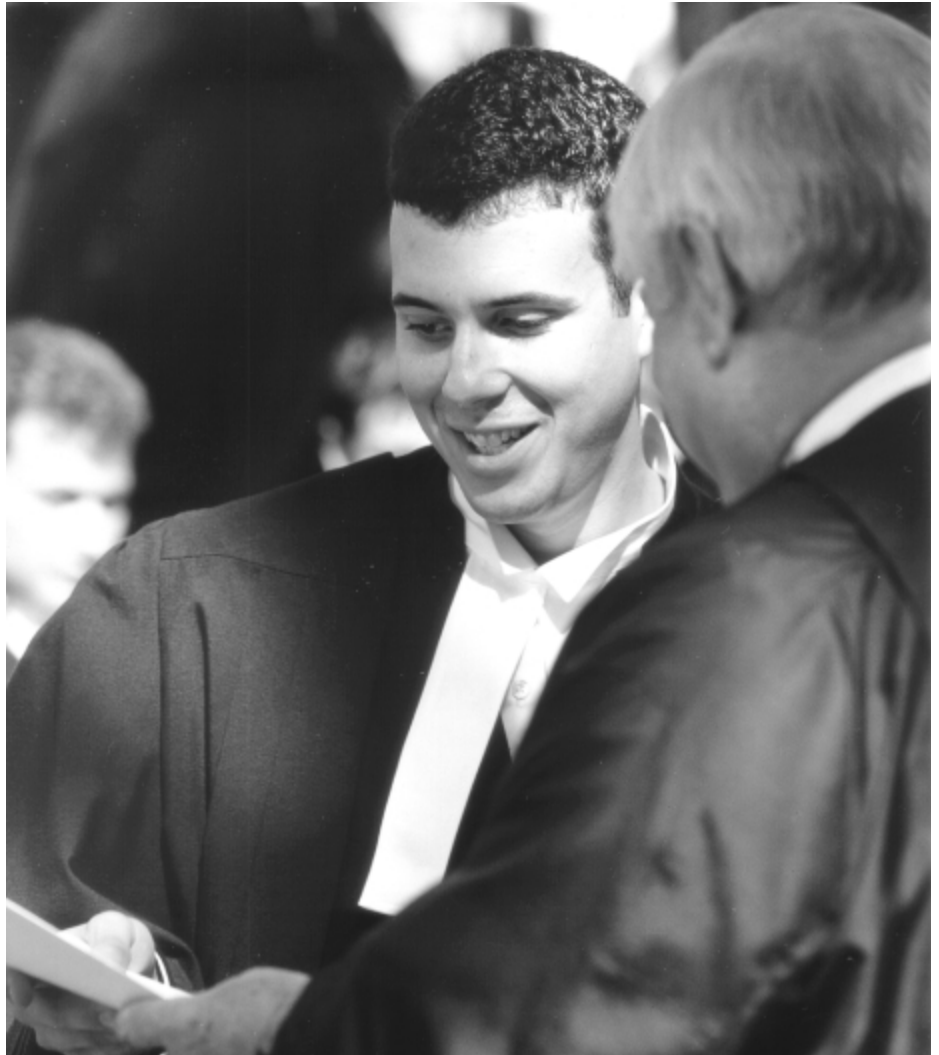
The service was supported as a way to "level the playing field" for lawyers by improving access and reducing the cost of legal resources.

The Law Society's own website, which already offers several important publications, will also be expanded in the near future.

Exploring multidisciplinary partnerships

Multidisciplinary practice — which would allow lawyers to practise with other professionals or members of other occupations — is another important opportunity for B.C. lawyers. Multidisciplinary practice was given special attention in 1999, and the Benchers were interested in a more liberal approach than is traditional within the legal profession, so as not to unduly hamper lawyers' ability to organize their practices. This issue is under further study in 2000.

The Benchers also asked the Futures Task Force to explore whether



At the September call ceremony.

lawyers might practise in limited liability partnerships, as advocated by the Institute of Chartered Accountants. While unlimited liability is intended to help ensure the public can recover losses from professional malpractice, mandatory liability insurance, such as exists for B.C. lawyers in private practice, already provides this protection.

The Futures Task Force has noted that the question of limited liability partnerships was relevant to

multidisciplinary partnerships, especially those large international firms for which a limited partnership structure is preferred.

New pro bono program on the horizon

The Law Society and the CBA (B.C. Branch) agreed in 1999 to promote the delivery of *pro bono* legal services in B.C., not to directly deliver services, but rather to help lawyers engage in *pro bono* in the community.

Year in review



Lay Benchers, (front row) Anita Olsen, Marjorie Martin, (back row) Wendy John, Nao Fernando and Ann Howard.

The vision is to support and encourage lawyers and law firms in the delivery of *pro bono* legal services, support organizations and *pro bono* programs in their delivery of services, promote a “*pro bono* culture” in the legal community, including law schools and community colleges, and develop and monitor policy as well as liaise with other jurisdictions.

A fundamental principle underlying the work of the *Pro Bono* Committee has been that *pro bono* is no substitute

for a properly funded legal aid system. Lawyers, however, already make a strong contribution by performing charitable work and helping the disadvantaged. That work should be encouraged, recognized and demonstrated to government and the public.

Law Society welcomes new Benchers

Late in 1999, two well-known criminal law lawyers were elected as new

Benchers for Vancouver for the 2000-2001 term: **Ian Donaldson**, Q.C. of Donaldson Jetté and **Terence (Terry) La Liberté**, Q.C. of Lauk La Liberté.

The Law Society also welcomed three new Lay Benchers during the year — **Nao Fernando**, **Wendy John** and **Anita Olsen** — who were appointed by the Lieutenant Governor in Council. Mr. Fernando works for the Office and Professional Employees’ International Union in Surrey, Ms. John serves as the Associate Regional Director General for Indian and Northern Affairs in B.C. and Ms. Olsen, of Kamloops, works in the employment counselling field. They joined Ann Howard, of the Elizabeth Fry Society (now with B.C. Housing) in Prince George, and Marjorie Martin, a Professor Emeritus of the University of Victoria, who have been Lay Benchers since 1992.

The appointments follow a new provision in the *Legal Profession Act*, proclaimed at the end of 1998, that increases the number of Lay Benchers from three to six. With the new appointments, one vacancy remains. Like the lawyer Benchers, Lay Benchers are volunteers. They play a pivotal role in bringing a public viewpoint to Law Society policy decisions and carry a full Benchers workload, which includes participating on committees and task forces and sitting on hearing panels.

Law Society sees success in government initiatives

The Law Society was pleased to see the provincial government back away from legislative changes that would have directed B.C. lawyers to remit unclaimed client money to the government, rather than the Law Society. Under that proposal, money

that is never claimed by clients would ultimately go into consolidated revenues for the province, rather than to the Law Foundation as required under the *Legal Profession Act*.

The Law Society, supported by the CBA and the Law Foundation, successfully resisted the proposals, which would have resulted in significant government intrusion into lawyers' trust fund management. The Law Society was concerned that the reporting and audit requirements included in the government proposal would endanger solicitor-client privilege and that government would benefit at the expense of the Law Foundation.

The Law Society also reinforced protection for solicitor-client privilege in freedom of information cases. In the early days of the *Freedom of Information and Protection of Privacy Act*, the Law Society intervened on behalf of B.C. lawyers and their clients in a series of three judicial reviews to establish that section 14 of the *Act* protects solicitor-client privilege to the full extent that it is defined in the common law.

In the course of an all-party review of the legislation, some submissions called for restrictions on privilege in favour of public access to government information. The Law Society reaffirmed the importance of privilege in ensuring that clients receive the fullest possible representation from their legal advisors.

The Law Society has particularly been concerned about the fate of information held by non-governmental bodies covered by the *Freedom of Information and Protection of Privacy Act*, such as the Legal Services Society and the Law Society itself. Unlike



government, these bodies hold privileged information belonging to lawyers' clients. It is the Society's position that this information should be protected from freedom of information access absolutely, without exception or discretion.

While the all-party review did not recommend any change to reduce the scope of privilege, it concluded that the question of restricting claims of privilege should be examined further. Consequently, the Law Society will have to remain vigilant on the issue.

Credentials

One of the Law Society's key responsibilities — through the Credentials Committee and staff — is to oversee the enrolment, education and call to the bar of articulated students, the transfer of lawyers from other provinces and the reinstatement of former lawyers.

Profile of the profession

Of the 393 people called to the B.C. bar in 1999, most were new law school graduates — 220 (56%) were graduates from B.C. law schools, 98 (25%) were from other Canadian law schools and 15 (4%) were from foreign law schools. There were also 60 lawyers from other Canadian jurisdictions who transferred to B.C. (15% of all calls): see *Lawyers admitted to the B.C. bar (1997-1999)*.

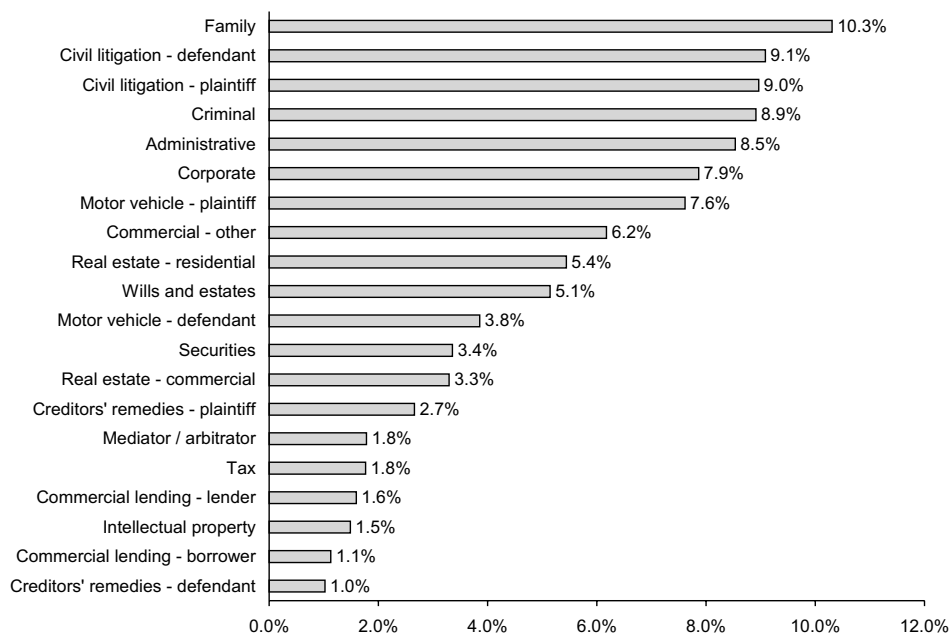
Between 1998 and 1999, the B.C. legal profession grew 2.2%. At the end of 1999, there were 8,688 practising lawyers, 1,159 non-practising lawyers and 179 retired members. Of lawyers with practising status, 78% were in private practice.

Women have increased their representation, making up 30% of the profession in 1999.

Of all B.C. lawyers, 75.5% were called to the bar in the last 20 years — including 43.1% in the last 10. Another

Year in review

1999 areas of practice



18.6% were called between 20 and 30 years ago and 5.9% over 30 years ago.

The leading areas of practice, according to time spent by lawyers, is civil litigation (11.4% motor vehicle and 18.1% other), corporate-commercial (7.9% corporate and 8.9% commercial), family law (10.3%), real estate (5.4% residential and 3.3% commercial) and criminal law (8.9%): see 1999 *areas of practice*.

Over half of all lawyers in private practice work in firms of fewer than five lawyers: 29.9% as sole practitioners and 20.9% in firms of 2 to 4 lawyers. Another 25.3% practise in firms of between 5 and 19 lawyers, 11.3% in firms of between 20 and 49 lawyers and 12.7% in firms of 50 or more.

Sixty-eight per cent of lawyers are located in the Vancouver/Lower Mainland area: 55.1% in Vancouver district and 12.9% in Westminster district. There are 9.6% in Victoria district, 4.1% in Nanaimo, 3.6% in Okanagan, 2.4% in Cariboo, 2.3% in Kamloops, 1.4% in Kootenay and 0.8% in Prince Rupert.

Another 784 lawyers (7.8%) reside out of province. Of those, 439 hold non-practising membership, although they may have practising privileges in another province. These lawyers, in fact, account for 38% of all non-practising members.

Review of PLTC and articling

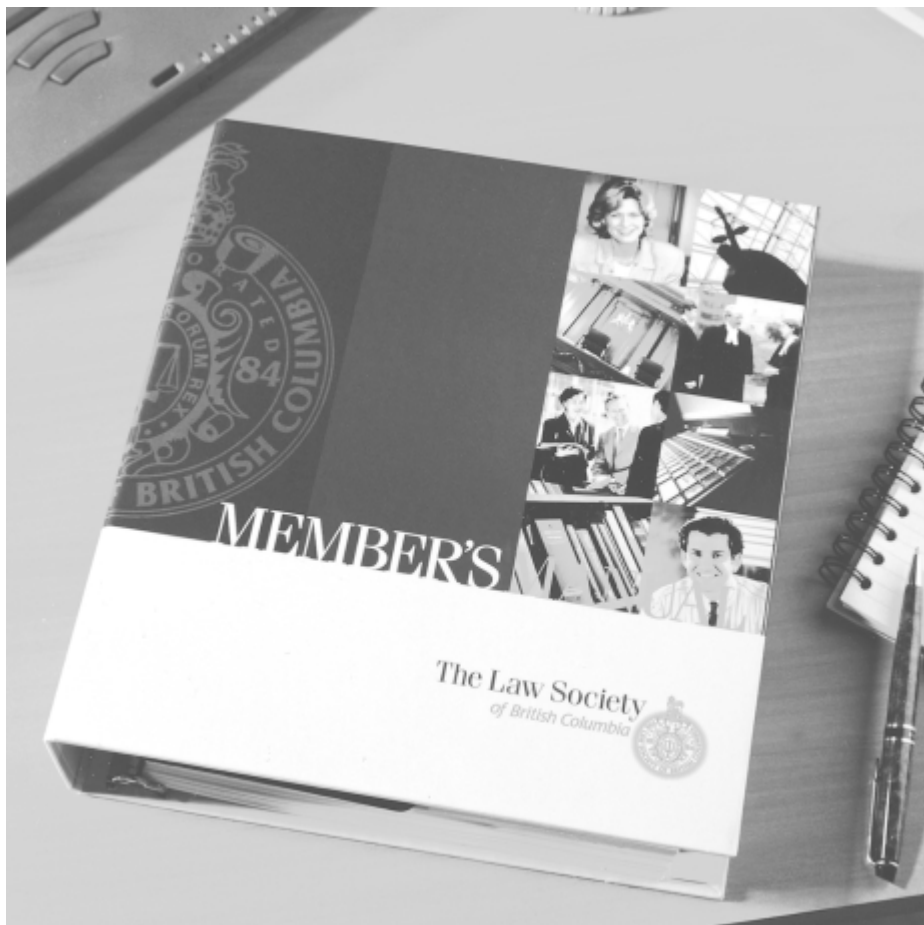
The Professional Legal Training Course (PLTC) has achieved an international reputation as a leading and innovative bar admission program. In 1999 the Law Society, along with the Continuing Legal Education Society, sought an independent review as a first step in the process of enhancing the program.

Lawyers admitted to the B.C. bar (1997 – 1999)

	1997	1998	1999
Called to the B.C. bar			
Recent graduates of B.C. law schools	210	215	220
Recent graduates of other Canadian law schools	115	111	98
Graduates of foreign law schools	14	24	15
Lawyers transferring from other jurisdictions	<u>87</u>	<u>69</u>	<u>60</u>
Total	<u>426</u>	<u>419</u>	<u>393</u>
Reinstatements	42	51	40

Law Society members (as at December 31, 1999)

Practising members	8,688	(86.6%)
Non-practising members	1,159	(11.6%)
Retired members	<u>179</u>	<u>(1.8%)</u>
Total	<u>10,026</u>	



The Law Society retained Christopher Roper — Director of the Centre for Legal Education in Sydney, NSW, Australia — to review PLTC, taking into account changes in the practice of law, the evolution of law firm articles and advances in educational technology. The Credentials Committee published the Roper report to the profession at the end of 1999 and is considering the recommendations in the context of a broad bar admission review in 2000.

A reform proposed by the Credentials Committee in 1999 — to introduce a PLTC entrance examination in place of the current qualifications exam — stimulated considerable interest and

a wide range of opinion.

The proposed PLTC entrance examination was intended to help ensure that students possess the necessary substantive and procedural knowledge for practice, and to do so earlier in the process than is now the case. Currently, PLTC students write a qualification examination designed to test their legal knowledge at the end of the program, and they focus considerable effort on preparing for that examination. The proposal to introduce an entrance examination, and to phase out the qualification examination, has been intended to allow PLTC faculty and students to better focus on skills training rather

than preparation for the examination.

The development and implementation of an entrance examination have been deferred for consideration within the larger context of the bar admission program review.

Ethical standards

The Benchers of the Law Society are responsible for setting ethical standards through the *Professional Conduct Handbook*. The Ethics Committee assists the Benchers in their work by:

- identifying current professional responsibility issues and developing policy recommendations and possible *Handbook* changes for consideration by the Benchers;
- interpreting existing rules for individual lawyers; and
- publishing ethical opinions of interest to the profession as a whole.

The year brought several opportunities to provide guidance and seek reform.

Crown's duty in withdrawing services: As Crown Counsel prepared to withdraw services in the context of their contract negotiations in 1999, the Ethics Committee gave guidance on Crown's ethical obligations, as it had done in previous years when legal aid lawyers contemplated job action. The work that Crown Counsel perform is critical, and the Committee noted that there could be no withdrawal without due regard for the interests of Crown, the courts, potential accused persons and others involved in the justice system.

New rules for the simple conveyance: The provisions of the *Professional Conduct Handbook* on real property transactions were revised in 1999 to relieve lawyers who act for more than

Year in review

one party in a simple conveyance of the duty to recommend independent legal advice. There is now clearer direction on what is, and what is not, a "simple conveyance." Conveyances are not simple if they contain a commercial element, if one of the lawyer's clients is the vendor and developer of the property or if the conveyance is of residential property with improvements under construction at the time of the agreement.

"Preferred areas" advertising relaxed: B.C. lawyers may now advertise a preference for an area of practice without necessarily having worked in that area for three years. To advertise a preference, the lawyer must regularly practise in the field and have devoted at least 20% of his or her time to that area in the preceding three years, or since becoming a lawyer, whichever is less.

Other marketing issues — such as lawyers portraying themselves as aggressive, using testimonials and referring to their own track record — also came under review during the year.

Equity and diversity

The Equity and Diversity Committee assists the Benchers in developing policy concerning diversity-related issues, including multiculturalism, gender equality, disability and sexual orientation.

In 1999 the Committee appointed a special working group to complete the final phase of a study that identifies and addresses discriminatory barriers facing Aboriginal lawyers, law graduates and students. The final report will come before the Benchers for discussion in the Fall of 2000.

The Committee also appointed a

Disability Research Working Group, composed of Halldor Bjarnason (chair), Henry Vlug and Ken Kramer, to identify barriers in legal education and practice for people with disabilities. These issues were probed through focus groups with law students, law graduates and lawyers with disabilities.

Another priority for the equity program was recruitment of a new Discrimination Ombudsperson as the term of service of Vancouver lawyer Gail Forsythe drew to a close.

Practice programs

The Law Society helps lawyers in general maintain a high level of practice and assists those who fall below acceptable standards.

Practice advice services have become very popular, thanks to the work of the Society's Practice Advisor. The services were expanded in 1999 to include the services of a new Practice Management Advisor, as well as the services of a staff lawyer to provide information on emerging practice

opportunities.

The Law Society funds courthouse libraries throughout the province, publishes a practice checklists manual and gives lawyers and their families free, confidential access to the counselling services of Interlock and the Lawyers Assistance Program.

A priority in 1999 for President Warren Wilson, Q.C. was to instil a strong sense of commitment in lawyers to continuing legal education. To emphasize that commitment, the Law Society issued each insured B.C. lawyer in private practice two discount vouchers worth \$150 each, which could be applied against CLE Society course registrations during 2000. The voucher program was funded by the Lawyers Insurance Fund in place of the loss prevention credits program, which did not offer lawyers the same choice and flexibility.

In addition to programs that enhance overall competency in the profession, the practice problems of individual

Actions taken by Practice Standards Committee

	1997	1998	1999
Practice review ordered	10	23	15
Meeting with senior practitioner ordered	1	2	6
Reprimand	—	—	4
No further action	3	1	4
Other	<u>11</u>	<u>9</u>	<u>2</u>
Total	<u>25</u>	<u>35</u>	<u>31</u>

The Practice Standards Committee considers referrals from Professional Conduct Department staff, the Discipline Committee or other sources, and considers remedial, rather than disciplinary, measures to assist a lawyer who is having difficulty in practice.

lawyers are addressed by a Practice Standards Committee, in two distinct ways:

- by assisting lawyers whose competency is in question achieve competency; and
- by restricting from practice incompetent lawyers who pose a danger to present or future clients.

When a lawyer is referred to that Committee — often as a result of complaints — the lawyer may be asked to participate in a practice review conducted by another practitioner along with a Law Society staff lawyer. In these reviews and follow-up measures, the focus is on remediation. When necessary, the Committee may require a lawyer to stop practising in certain areas or to practise only under the supervision of another lawyer.

If the problems are severe or if the lawyer is unwilling to make necessary changes, disciplinary action is still possible. Most lawyers, however, approach the program positively and as a way to establish a more viable law practice.

Complaints and discipline

The Law Society sets standards of professional responsibility for lawyers and enforces those standards through a complaints and discipline process.

The Society reviews each complaint it receives, as well as information from any source that may reveal a discipline violation. Staff lawyers and complaints officers in the Professional Conduct Department carry out the initial review and assessment. Complaints and enquiries declined

Complaint files by type of conduct alleged

Type of file	1997	1998	1999
Complaints:			
Abuse of process	23	49	66 (4.2%)
Advertising	12	15	16 (1.0%)
Breach of accounting rules	4	7	13 (.8%)
Breach of privilege	13	20	14 (.9%)
Breach of undertaking	47	53	62 (4.0%)
Conflict of interest	66	99	104 (6.7%)
Delay/inactivity	51	73	67 (4.3%)
Direct contact with opposing client	8	17	6 (.4%)
Discrimination	—	9	8 (.5%)
Dissatisfaction with legal service	290	334	365 (23.4%)
Error/negligence	51	75	67 (4.3%)
Failure to account for trust	13	16	—
Failure to communicate/respond	84	128	159 (10.2%)
Failure to follow client instructions	7	38	29 (1.9%)
Failure to render account	2	3	4 (.3%)
Fees	58	73	78 (5.0%)
Improper affidavit/signature	12	24	11 (.7%)
Mental breakdown	—	2	3 (.2%)
Miscellaneous	534	270	151 (9.7%)
Missed limitation/court appearance	9	7	8 (.5%)
Office management	6	3	13 (.8%)
Rudeness	29	60	53 (3.4%)
Sharp practice	15	69	68 (4.4%)
Sloppy practice	3	8	4 (.3%)
Substance abuse	2	6	1 (.1%)
Threatening	34	36	37 (2.4%)
Trust defalcation	6	19	24 (1.5%)
Unpaid creditor/disbursement	73	100	84 (5.4%)
Withholding file	16	38	29 (1.9%)
Withholding funds	15	15	13 (.8%)
Total complaint files opened	1,488	1,666	1,557
Public enquiry files opened*	230	259	202
Total complaints and public enquiries	1,718	1,925	1,759
Files closed	1,844	1,730	2,016

* In addition to complaint files, the Law Society opens files for all written public enquiries about lawyer conduct (in which no particular lawyer is identified) or enquiries that do not relate to lawyer competency or conduct, but to some aspect of the legal system. The Professional Conduct Department staff also routinely offer information by telephone about lawyers in general, the Law Society and justice system, handling close to 4,700 public calls in 1999.

continued on page 12

Year in review

Disposition of complaints and public enquiries closed in 1999

	# of files	% of all files
Reconciled/resolved ¹	228	11.3%
Minor misconduct	90	4.5%
Minor error	77	3.8%
Referred to Discipline Committee	165	8.2%
Referred to Practice Standards Committee	39	1.9%
Misconduct not established after investigation ²	1,044	51.8%
Outside Law Society jurisdiction: complainant advised of possible civil remedies ³	<u>373</u>	18.5%
Total	<u>2,016</u>	

Note 1: Over 11% of all complaints were reconciled or resolved between the lawyer and client, sometimes with Law Society assistance. When there was minor misconduct or a minor error, this was often acknowledged by the lawyer and the acknowledgement conveyed to the client, without need for a discipline referral. 10.1% of complaints were sufficiently serious to warrant a referral to either the Discipline or Practice Standards Committee.

Note 2: After investigation, the Professional Conduct Department may determine that a complaint is invalid or that there is insufficient evidence to substantiate the allegation. When a complainant finds a staff determination unsatisfactory, he or she may in some circumstances have the matter reviewed by the Complainants' Review Committee.

Note 3: The Law Society frequently receives complaints that fall outside its jurisdiction, most commonly complaints of dissatisfaction over a lawyer's fees or services that do not amount to a conduct or competency concern for the Society. The Law Society explains the difference between its regulatory jurisdiction over lawyers and the complainant's legal options, which may include a fee review before a registrar. Most of the public enquiry files are in this category.

Actions taken by Discipline Committee

	1997	1998	1999
Citations	64	22	35
Admonishments from Discipline chair	38	35	38
Conduct reviews	105	84	73
Audits	<u>8</u>	<u>14</u>	<u>11</u>
Total	<u>215</u>	<u>155</u>	<u>157</u>

Note: For Practice Standards Committee actions, see page 9.

Disposition of citations

	1997	1998	1999
Admissions of guilt (Rule 468)	11	7	9
Resignations	1	–	4
Disbarments	2	–	4
Suspensions	9	2	9
Fines	5	7	7
Reprimands	7	6	7
Citation rescissions by Discipline Committee*	6	12	12
Citation dismissals by hearing panels	<u>1</u>	<u>5</u>	<u>3</u>
Total citations completed	<u>42</u>	<u>39</u>	<u>55</u>

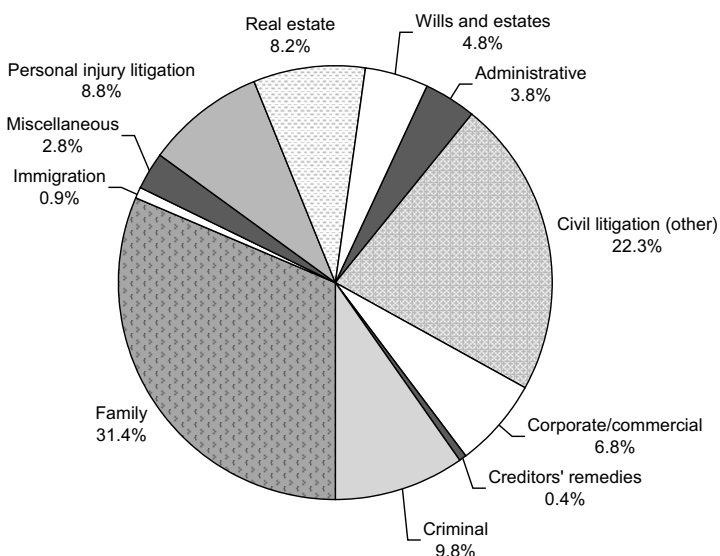
* May include matters referred for conduct review.

Disposition of 1999 reviews by Complainants' Review Committee

No further action	171
Complaint withdrawn	3
Referred to Discipline Committee	5
Written reprimand or practice recommendation	<u>3</u>
Total	<u>182</u>

Note: A complainant who is dissatisfied with the staff's disposition of a complaint may ask the Complainants' Review Committee, which is chaired by a Lay Benchler, to reconsider the disposition. The Committee could find no grounds for further action on 94% of 182 matters completed. One further matter was adjourned or deferred to 2000.

1999 complaint files by area of practice



from 1,925 in 1998 to 1,759 in 1999.

The Department's goal is to complete each matter within six months, although complex and serious matters can take longer to investigate and assess. In 1999 there were several very complex matters under investigation. By year-end, staff completed their review and assessment of 2,106 complaints and enquiries.

While many complaints do not ultimately merit a regulatory response from the Law Society, it is necessary for the Society to review each one in fulfilling its regulatory responsibility. The Professional Conduct Department, however, wishes to streamline complaints more efficiently than ever before, by offering alternative dispute resolution when appropriate. This will allow investigation teams to focus on the most serious and complex complaints, including any involving the mishandling of trust funds.

A complaint referred to the Practice Standards Committee may result in a

range of actions with a remedial focus. A referral to the Discipline Committee may result in further investigation, such as a trust audit, or in such disciplinary actions as a letter of admonishment from the Committee chair to the lawyer, a conduct review before a Benchers' Review Committee and another senior practitioner or a citation for a formal hearing before a panel.

A complainant who is unhappy with a staff decision to take no further action on a complaint can, in some circumstances, request a review before the Complainants' Review Committee, chaired by a Lay Benchers' Review Committee. A further review to the office of the provincial Ombudsman is also an option.

The Law Society complaints process is confidential, and the Society reports out only to the complainant and lawyer. This ensures the integrity of an investigation, fairness to the lawyer's reputation and privacy of the complainant. If, however, a

complaint is already known to the public, such as through media reports, the Society may comment publicly on the status of the complaint.

When there is enough evidence of misconduct to merit a formal discipline hearing, that hearing is open to the public, and both the circumstances of the misconduct and results of discipline actions are also public. The Law Society posts upcoming hearings on its website.

The Benchers made a concerted effort in 1999 to reduce hearing report backlogs and ensure the timely delivery of new reports. The number of citations completed in 1999 was consequently higher than in 1998 or 1997. Under the Benchers' new policy, a hearing report must be rendered within 60 days of the last day of hearing, unless that timeframe is extended by the President.

The Benchers also revised Law Society Rule 5-9 to give discipline hearing panels the discretion to award costs to a lawyer when a citation is rescinded after a hearing has begun, but before it is completed. There was already provision in that Rule for a hearing panel to award costs when it dismisses a citation.

Lawyers Insurance Fund

To protect the public as consumers of legal services, the Law Society requires that all lawyers in private practice carry liability insurance. The Law Society's insurance program provides mandatory coverage of \$1 million per error and \$2 million annually.

The Lawyers Insurance Fund has remained strong and stable for the past decade.

As at December 31, 1999, the Fund

Year in review

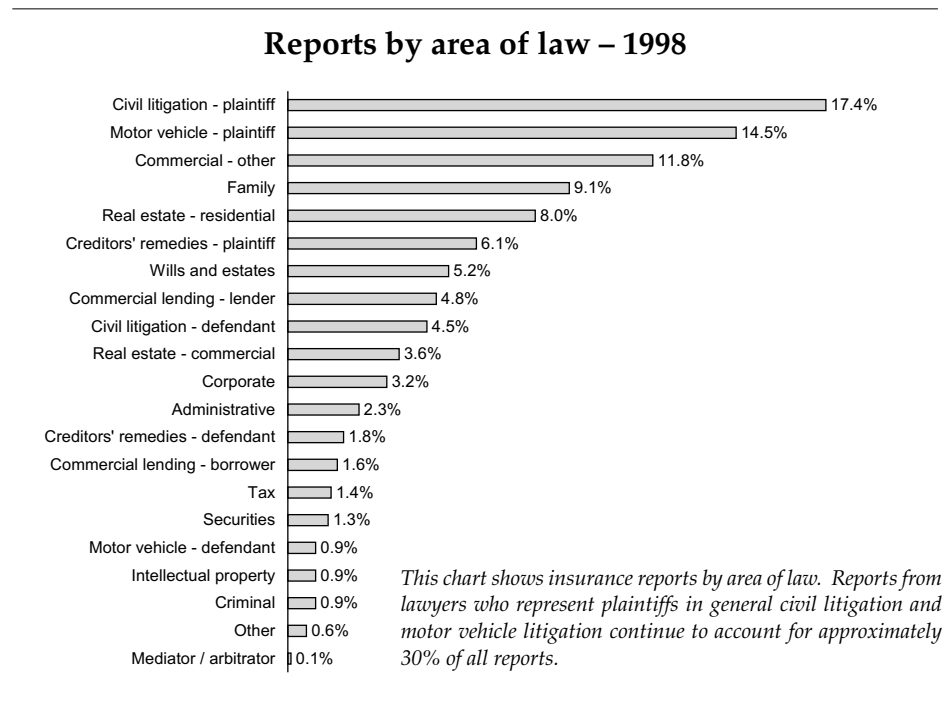
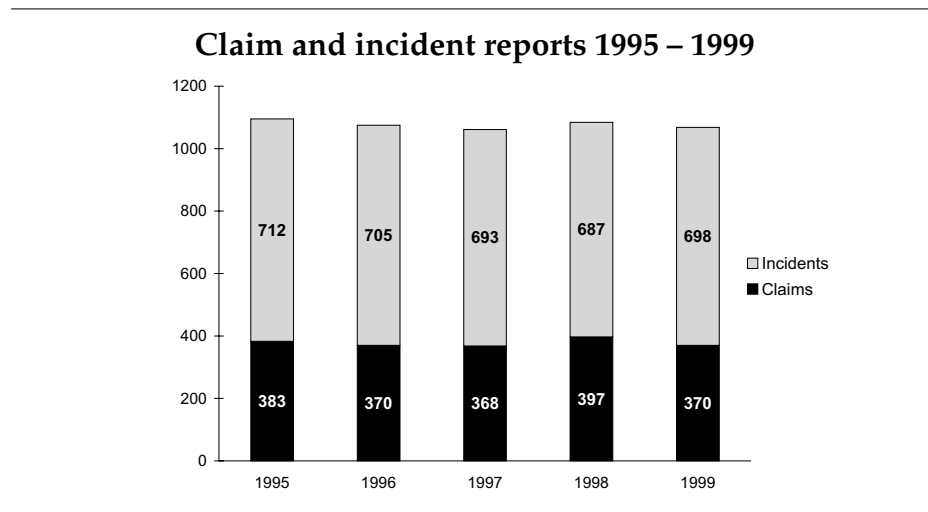
had assets of over \$107 million and liabilities of over \$77 million, including over \$72 million for payment of expected losses for the current and prior claim years. The fund reserve (unrestricted net assets) of just over \$30 million is available to pay any unexpected losses. For financial information see the financial statements on pages 23 to 25 and also “Finances” on page 14.

The continuing financial strength and stability of the program and its reserves allowed a reduction in the base annual insurance assessment from \$2,000 in 1997, to \$1,920 in 1998 and to \$1,700 in 1999. B.C. lawyers have in fact paid no increases in insurance for the past 10 years, but rather have seen the fee drop several times. Eligible lawyers in part-time practice also enjoy a 50% fee discount, which is another attractive feature of the program.

The number of lawyers reporting incidents (which may or may not become actual claims) increased slightly between 1998 and 1999; however, the number of claims reported decreased. Moreover, for the past five years there has not been any significant growth in incident and claims reports, despite continued growth in the number of insured lawyers: see *Claim and incident reports 1995-1999*. In keeping with the general stability in the number of reports, the expected losses have not increased significantly over the last few years.

Special Compensation Fund

To protect the public and ensure continued public confidence in the profession, B.C. lawyers maintain a Special Compensation Fund. This Fund compensates people for loss



suffered through theft by a lawyer acting in that capacity.

Fortunately, there are very few trust misappropriations by lawyers. A review of claims paid by the Fund over the past five years shows that the payment history varies from year to year, reflecting the unpredictable nature of misappropriation: see *Special Compensation Fund claims paid (1995-1999)* on page 14. For financial information, see

financial statements on pages 21 to 22 and “Finances” on page 14.

If there is evidence of misappropriation, the Law Society has strong public protection measures at its disposal. It can order a forensic audit and investigation of the law practice, order an interim suspension of the lawyer if clients are at risk, secure the law practice, alert clients and take disciplinary proceedings.

Special Compensation Fund claims paid (1995 – 1999)

Year	\$ Paid	No. of paid claims involved	No. of lawyers
1995	150,946	15	6
1996	177,870	12	5
1997	46,595	5	3
1998	44,061	5	4
1999	45,692	2	2

Over the past five years, the Special Compensation Fund paid out \$465,164 on 39 claims. These claims were caused by 18 lawyers — out of more than 6,700 lawyers in private practice (the claims against several of these lawyers were paid out over the course of more than one year).

The Society also takes active steps to inform people who may have claims about the Fund and the application procedure, and to clarify that the Fund is not available for claims of lawyer negligence or for fee disputes.

A claimant to the Fund may be asked to obtain a civil judgment against a lawyer as a way of substantiating an allegation of theft, although this requirement may be waived at the discretion of the Special Compensation Fund Committee.

The Committee will consider all of the circumstances, including such factors as the likelihood of recovery from the lawyer, clear evidence of defalcation and hardship to the claimant.

When a claimant must seek a judgment for misappropriation, and is successful, the Special Compensation Fund Committee also has discretion to reimburse some or all legal fees incurred, if appropriate.

Unauthorized practice

The Law Society is responsible for ensuring that anyone in the province who offers legal services is qualified to do so and that the public can rely on the high standards of education, ethics and financial protection

offered by lawyers.

The *Legal Profession Act* gives the Law Society remedies to stop people who illegally offer legal services or misrepresent themselves as lawyers.

On receiving a complaint of unauthorized practice, the Law Society first looks into the facts. If satisfied that both the facts and the law reveal unauthorized practice, the Society asks the non-lawyer to undertake to refrain from the activity. When necessary, the Society will seek a court injunction, and the non-lawyer frequently gives consent to the injunction early in the proceedings.

In 1999 the Society received 52 undertakings from non-lawyers to refrain from unauthorized practice and obtained two consent injunctions, as well as seven other injunctions against non-lawyers who were offering services, such as small claims representation, divorces and incorporations.

For a number of years, the Law Society has been concerned about the vulnerability of clients of non-lawyer immigration consultants. The Society concluded it was important to seek leave to appeal to the Supreme Court of Canada a 1998 Court of Appeal decision that opened the door to

non-lawyer immigration consultants.

The Court of Appeal reversed a B.C. Supreme Court decision that had prohibited immigration consultant Jaswant Singh Mangat from practising law for a fee: *Law Society of British Columbia v. Mangat and Westcoast Immigration Consultants Ltd.* [1998] BCJ No. 2756. Court of Appeal Justice Mackenzie found that the federal *Immigration Act* provisions allowing a person to be represented by a barrister, solicitor “or other counsel” in immigration proceedings would, in the absence of federal regulations respecting the qualifications of “other counsel,” allow non-lawyers to appear before immigration tribunals for a fee. Insofar as these provisions of the *Immigration Act* conflict with the unauthorized practice provisions of B.C.’s *Legal Profession Act*, he found the federal provisions paramount.

Although Mr. Mangat subsequently became a lawyer in Alberta, non-lawyer immigration consultants generally have a far-reaching impact, and the Law Society believes it important to resolve this issue for reasons of public protection.

Finances

B.C. lawyers pay the cost of Law Society operations through annual assessments and other fees.

The Society carries out its duties through three funds:

- General Fund – this is the primary source of funding for lawyer regulation, programs and services;
- Lawyers Insurance Fund – this Fund provides errors and omissions insurance coverage for lawyers for professional services;
- Special Compensation Fund – this

Year in review

Fund reimburses those who suffer a loss as a result of lawyer theft.

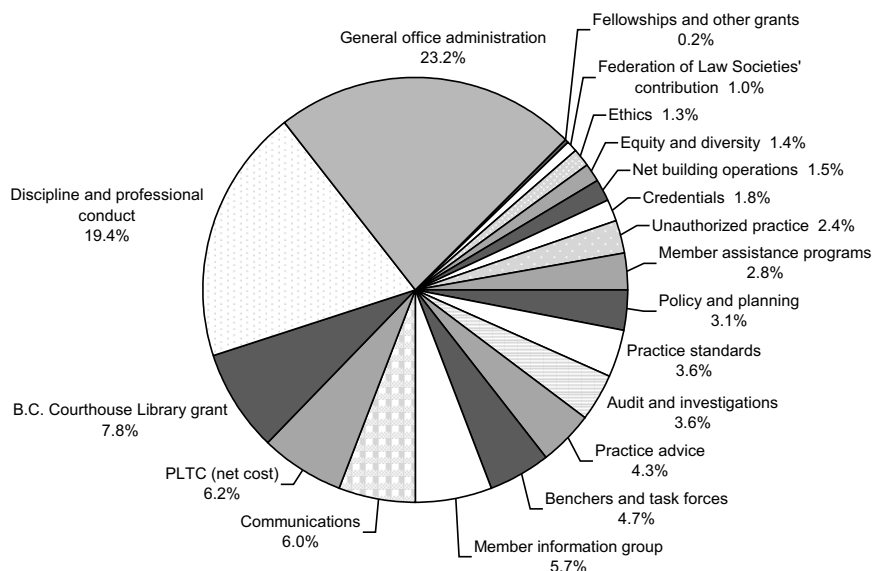
The 1999 audited financial statements for these funds are set out on pages 17 to 25 of this report. These statements reflect the presentation and disclosure standards of the Canadian Institute of Chartered Accountants for non-profit organizations.

All funds are financed and accounted for separately. The Lawyers Insurance Fund and Special Compensation Fund both make a proportionate contribution to the General Fund for their share of Law Society facilities, administrative services and for some defined program areas. These expenses are incurred by the General Fund and recovered from the other two Funds.

The General Fund is financed by the Law Society component of the annual practice fee paid by all practising lawyers, and its budget is primarily devoted to professional regulation and member programs. The pie chart *1999 General Fund expenditures* shows the gross cost of each program as a percentage of the General Fund's total expenditures in 1999, including the staff and office space allocated to each program.

Overall, General Fund expenditures increased \$900,876 (7.8%) between 1998 and 1999. While some program area costs dropped, there were several key areas of increase: \$408,679 to expand practice advice and member assistance programs, \$130,042 for audit and investigations, \$115,000 to increase B.C. Courthouse Library funding, \$193,229 for administration, \$165,740 for member information services and \$99,192 for PLTC. There was cost-sharing by the Special Compensation Fund and Lawyers Insurance Fund in the program areas that those

1999 General Fund expenditures



This chart shows gross program expenditures as a percentage of total 1999 General Fund expenditures, other than PLTC and building operations, which are shown on a net basis.

Funds support.

A planned deficit in the General Fund of \$235,000 — coupled with costs in complaints, discipline and investigations that were higher than budgeted and fee revenues that were less than anticipated — resulted in a \$577,955 deficit at year-end. The deficit was funded through the General Fund reserve (total net assets), which at the end of 1999 stood at \$917,605.

Despite an increased financial commitment to regulatory and practice programs, the Law Society has continued to charge a practice fee that compares favourably with other Canadian law societies.

The Special Compensation Fund reserve (unrestricted net assets) decreased from almost \$9.3 million at the end of 1998, to almost \$8.9 million at the end of 1999. Cost increases were in the area of investigations and

custodianships. This accounted for the annual deficit. Most of the claims inventory continued into 2000 for decision.

The Lawyers Insurance Fund had assets of over \$107 million and liabilities of over \$77 million at the end of 1999, including over \$72 million for payment of expected losses for the current and prior claim years. The Benchers had planned to reduce by \$8 million the fund reserve (unrestricted net assets), which stood at just over \$35 million at year-end of 1998. In fact, because of a write-down of the amount reserved for prior years' claims, the Fund reserve was reduced by just over \$4.9 million. The reserve stood at just over \$30 million at the 1999 year-end.

The legal profession can have confidence that all three Law Society funds are financially sound and stable.

1999 appointments to outside bodies

Board	Appointee(s)	Board	Appointee(s)
B.C. Courthouse Library Society	Jeffrey Hayes G.J. Kambeitz, Q.C.	Hamber Foundation	R. Paul Beckmann, Q.C. Mdm. Justice Mary Newbury
B.C. Law Institute	James MacIntyre, Q.C. Sholto Heberton, Q.C.	Law Foundation	Patricia Boyd Mdm. Justice Alison Beames Ian Caldwell Andrew Croll Azim Dato, Q.C. Victoria Gray, Q.C. Norah Hall Paul Love Jane Morley, Q.C. Marina Pratchett Thomas Scott Donald Silversides, Q.C.
B.C. Medical Services Foundation	Andrew Wilkinson		
Building Permit Board of Appeal, City of Vancouver	Arlene Henry		
CBA, National and Provincial Councils	J.S. Shackell, Q.C. G.R. Toews		
CBA (B.C.) Benevolent Society	W.J. Sullivan	Legal Services Society²	Pinder Cheema Geoffrey Cowper, Q.C. Kenneth Learn Barbara Yates
CLE Society	Benchers: A.K. Fung W.J. Sullivan Practitioners:¹ James Baird Don Brown Patricia Burchmore Michael Clare Catherine Greenall Kelle Maag Margaret Sasges Ronald Smith Charles Stein Randy Walker	Provincial Judicial Council	Peter Wilson
		Surrey Foundation	Wayne Stilling, Q.C.
		UBC Faculty of Law, Curriculum Committee	Donald Thompson
		UBC Faculty of Law, Faculty Council	B.D. Woolley, Q.C.
		UVic Faculty of Law, Faculty Council	R.S. Margetts
Federal Judicial Appointments Advisory Committee	Richard Peck, Q.C.	Vancouver International Airport Authority	C. Paul Daniels, Q.C.
Federation of Law Societies	Delegates: K.F. Warner, Q.C. W.T. Wilson, Q.C. Director (B.C. and Yukon): T.L. Brown, Q.C.		

¹ appointed jointly with the CBA, B.C. Branch

² appointed after consultation with the CBA, B.C. Branch

Financial Statements

For the year ended December 31, 1999

GENERAL FUND
SPECIAL COMPENSATION FUND
LAWYERS INSURANCE FUND

AUDITORS' REPORT

**To the members of
The Law Society of British Columbia**

We have audited the statements of financial position of **The Law Society of British Columbia – General Fund, Special Compensation Fund and Lawyers Insurance Fund** as at December 31, 1999 and, for each of these Funds, the statements of revenue and expense, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the Funds' management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also

includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Funds as at December 31, 1999 and the results of their operations and their cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

PricewaterhouseCoopers LLP

Vancouver, B.C.
April 8, 2000

Chartered Accountants

Financial Statements

For the year ended December 31, 1999

STATEMENT OF FINANCIAL POSITION
as at December 31, 1999

	1999 \$	1998 \$
Assets		
Current assets		
Cash and cash equivalents	7,901,047	6,630,485
Unclaimed trust funds	719,215	694,795
Accounts receivable and prepaid expenses	215,365	242,738
B.C. Courthouse Library Fund	806,461	983,094
Due from Lawyers Insurance Fund	—	1,726,477
Due from Special Compensation Fund	<u>30,669</u>	<u>—</u>
	9,672,757	10,277,589
Capital assets		
Cambie Street property, net (note 2)	14,751,072	14,794,809
Other – net (note 2)	<u>1,063,333</u>	<u>808,249</u>
	<u>25,487,162</u>	<u>25,880,647</u>

Liabilities**Current liabilities**

Accounts payable and accrued liabilities	4,838,282	4,468,601
Liability for unclaimed trust funds	719,215	694,795
Current portion of building loan payable (note 4)	500,000	500,000
Deferred revenue	6,661,670	6,393,853
B.C. Courthouse Library Grant	806,461	983,094
Due to Lawyers Insurance Fund	432,429	—
Due to Special Compensation Fund	—	186,868
Deposits	<u>11,500</u>	<u>23,112</u>
	13,969,557	13,250,323

Long-term debt

Building loan payable (note 4)	<u>10,600,000</u>	<u>11,134,764</u>
	<u>24,569,557</u>	<u>24,385,087</u>

Net assets

Invested in capital assets	4,714,406	3,968,294
Unrestricted	<u>(3,796,801)</u>	<u>(2,472,734)</u>
	<u>917,605</u>	<u>1,495,560</u>
	<u>25,487,162</u>	<u>25,880,647</u>

Approved by

President

Chair of Audit Committee

STATEMENT OF CHANGES IN NET ASSETS

	1999		1998	
	Invested in capital assets – net of associated debt	Unrestricted	Total	Total
	\$	\$	\$	\$
Net assets – beginning of year	3,968,294	(2,472,734)	1,495,560	2,173,669
Net excess (deficiency) of revenue over expense for the year	(1,052,466)	474,511	(577,955)	(678,109)
Repayment of associated debt	534,764	(534,764)	—	—
Purchase of capital assets	<u>1,263,814</u>	<u>(1,263,814)</u>	<u>—</u>	<u>—</u>
Net assets – end of year	<u>4,714,406</u>	<u>(3,796,801)</u>	<u>917,605</u>	<u>1,495,560</u>
	*	*	*	

STATEMENT OF REVENUE AND EXPENSE

	1999 \$	1998 \$
Revenue		
Practice fees	7,816,263	7,482,706
Enrolment fees	711,370	778,530
Application fees	307,049	316,260
Fines and penalties	133,594	118,744
Interest and other income	<u>300,045</u>	<u>179,467</u>
	<u>9,268,321</u>	<u>8,875,707</u>
Expense		
Allocated PLTC office/classroom rent	363,720	399,720
Amortization on other capital assets	342,722	251,225
Annual report and meeting	45,837	53,199
Audit and investigation	429,616	299,574
Benchers and other committee meetings	561,138	609,080
British Columbia Courthouse Library Society	925,000	810,000
Canadian Bar Association	5,000	5,000
Communications and publications	659,759	614,268
Credentials	214,204	248,573
Discipline and complaints	2,298,625	2,297,439
Equity and diversity	172,306	216,149
Ethics	157,260	153,756
External audit	12,067	24,000
Federation of Law Societies' contribution	115,112	67,872
Fellowships and other grants	28,300	31,500
General office administration	2,340,419	2,147,190
Membership assistance programs	330,799	308,418
Member information group	673,935	508,195
Non-program legal	53,952	12,796
Policy and planning	368,793	352,769
Practice advice	511,451	125,153
Practice standards	422,230	487,333
Professional Legal Training Course	1,088,845	989,653
Unauthorized practice	<u>287,122</u>	<u>494,474</u>
	<u>12,408,212</u>	<u>11,507,336</u>

(continued on page 19)

Financial Statements

For the year ended December 31, 1999

STATEMENT OF REVENUE AND EXPENSE

(continued)

	1999 \$	1998 \$
Costs recovered from Special Compensation and Lawyers Insurance Funds —		
Co-sponsored program costs	(1,288,679)	(685,632)
Administrative	<u>(1,449,233)</u>	<u>(1,407,963)</u>
	<u>9,670,300</u>	<u>9,413,741</u>
Deficiency of revenue over expense before the following:	(401,979)	(538,034)
Cambie Street property operating costs (note 3)	<u>(175,976)</u>	<u>(140,075)</u>
Net deficiency of revenue over expense for the year	<u>(577,955)</u>	<u>(678,109)</u>

* * *

STATEMENT OF CASH FLOWS

	1999 \$	1998 \$
Cash flows from operating activities		
Net deficiency of revenue over expense for the year	(577,955)	(678,109)
Non-cash items		
Amortization on Cambie Street building and tenant improvements	709,744	663,543
Amortization on other capital assets	<u>342,722</u>	<u>251,225</u>
	474,511	236,659
Decrease (increase) in current assets		
Unclaimed trust funds	(24,420)	—
Accounts receivable and prepaid expenses	27,373	156,290
B.C. Courthouse Library Fund	176,633	67,510
Due from Lawyers Insurance Fund	1,726,477	4,393,931
Due from Special Compensation Fund	(30,669)	73,580
Increase (decrease) in current liabilities		
Accounts payable and accrued liabilities	369,681	1,035,656
Liability for unclaimed trust funds	24,420	—
Deferred revenue	267,817	1,307,309
B.C. Courthouse Library Grant	(176,633)	(67,510)
Due to Lawyers Insurance Fund	432,429	—
Due to Special Compensation Fund	(186,868)	186,868
Deposits	<u>(11,612)</u>	<u>(19,464)</u>
	3,069,139	7,370,829
Cash flows from financing activities		
Decrease in long-term debt – net	(534,764)	(500,000)
Cash flows from investing activities		
Capital asset additions – net	<u>(1,263,813)</u>	<u>(430,979)</u>
Increase in cash and cash equivalents	1,270,562	6,439,850
Cash and cash equivalents – beginning of year	<u>6,630,485</u>	<u>190,635</u>
Cash and cash equivalents – end of year	<u>7,901,047</u>	<u>6,630,485</u>

NOTES TO FINANCIAL STATEMENTS

1. Significant accounting policies and description of the Fund

Description of the Fund

The General Fund (the Fund) comprises the assets, liabilities, net assets, revenue and expense of the operations of The Law Society of British Columbia (the Society) other than those designated to the statutory Special Compensation and Lawyers Insurance Funds. The Society is a not-for-profit organization and the Fund is considered to be non-assessable under current income tax legislation. The Society incorporated an organization called Juricert Services Inc. in September 1999 for the purposes of establishing an Internet certification program. To date, the company is inactive.

Allocated administrative expenses

Administrative expenses are recovered by the Fund from both the Lawyers Insurance and Special Compensation Funds. Recoveries are based on budgeted amounts derived either on a percentage of use or the percentage of the Fund's staff as compared to the Society's total direct program staff.

Allocated rental revenue

The Cambie Street property is treated as a separate cost centre. Allocated rental revenue represents rent allocated to each of the Funds. Rental revenue allocated to the Fund has not been eliminated in the preparation of these financial statements.

Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and demand deposits, and short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Amortization

Amortization is provided on a straight-line basis as follows:

Buildings	2-1/2% per annum
Computer hardware and software	20% per annum
Furniture and fixtures	10% per annum
Leasehold improvements	10% per annum

Tenant improvements are amortized over the term of the lease to which they relate. The Society recognizes a full year's amortization expense in the year of acquisition.

Revenue recognition

The Society follows the deferral method of accounting for annual fees. Fees are billed and received in advance on a calendar-year basis. Accordingly, fees for the next fiscal year received prior to December 31 have been deferred for financial reporting purposes and will be recognized as revenue in the next calendar year.

All other revenues are recognized when receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Unclaimed trust funds

The Fund recognizes a liability for unclaimed trust funds on the statement of financial position. If these funds are claimed, the owner of the trust fund balance is entitled to the principal balance plus

(continued on page 20)

The Law Society of British Columbia — GENERAL FUND

Financial Statements

For the year ended December 31, 1999

interest at prime rate minus 2%. Due to the historically low collection rates on these balances, the Fund does not accrue for any interest owing on the trust fund amounts held and recognizes income earned from the unclaimed trust fund investments in the statement of revenue and expense.

Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the financial statements and revenues and expenses for the period reported. Actual results could differ from those estimates.

2. Capital assets – Cambie Street property and other

Cambie Street property

	1999			1998
	Cost	Accumulated amortization	Net	Net
	\$	\$	\$	\$
Land	4,189,450	–	4,189,450	4,189,450
Buildings	11,269,721	2,164,165	9,105,556	9,321,612
Leasehold improvements	3,079,938	1,869,292	1,210,646	1,094,625
Tenant improvements	946,988	701,568	245,420	189,122
	<u>19,486,097</u>	<u>4,735,025</u>	<u>14,751,072</u>	<u>14,794,809</u>

Other capital assets

	1999			1998
	Cost	Accumulated amortization	Net	Net
	\$	\$	\$	\$
Furniture and fixtures	1,524,705	972,489	552,216	484,153
Computer hardware	821,247	623,557	197,690	165,772
Computer software	689,805	376,379	313,426	158,323
Law libraries, at nominal value	<u>1</u>	<u>–</u>	<u>1</u>	<u>1</u>
	<u>3,035,758</u>	<u>1,972,425</u>	<u>1,063,333</u>	<u>808,249</u>

3. Cambie Street property operating costs

	1999	1998
	\$	\$
Rental revenue	402,655	362,463
Allocated rental revenue	<u>1,207,294</u>	<u>1,162,905</u>
	<u>1,609,949</u>	<u>1,525,368</u>
Expense		
Amortization	709,744	663,543
Insurance	29,354	31,645
Net loan interest	588,697	524,931
Property management salaries	139,385	109,424
Property taxes	275,974	256,228
Repairs and maintenance	205,980	217,150
Utilities	113,851	115,560
Recovery from tenants	<u>(277,060)</u>	<u>(253,038)</u>
	<u>1,785,925</u>	<u>1,665,443</u>
Net operating costs	<u>(175,976)</u>	<u>(140,075)</u>

4. Building loan payable

In 1992, the Benchers authorized the lending of monies from the Lawyers Insurance Fund to fund the capital development of the Society's buildings at 839 and 845 Cambie Street, Vancouver, B.C. The loan has no fixed repayment terms and bears interest calculated monthly at a rate equal to the stated monthly yield to maturity earned on the Lawyers Insurance Fund bond investment portfolio. It is the intention of the Society to repay a minimum of \$500,000 on the principal each year. During 1999, principal of \$534,764 (1998 – \$500,000) was repaid.

	1999	1998
Weighted average rate of interest	<u>5.66%</u>	<u>5.31%</u>

5. Interfund transactions

The operations of the Fund, the Lawyers Insurance Fund and the Special Compensation Fund are controlled by the management of the Society. Transactions between the Funds are recorded at fair values at the dates of the transactions.

Amounts due to and from the Lawyers Insurance and Special Compensation Funds arise from transactions of an operating nature, and have no fixed terms of repayment. These amounts are generally non-interest bearing, except for balances that are considered in calculating the interest on the building loan payable (note 4).

Monthly interest on the Fund's net loan position with the Lawyers Insurance Fund is paid by the Fund at a rate equal to the stated monthly bond yield to maturity earned on the Lawyers Insurance Fund investment portfolio. The Fund's net loan position includes the General Fund building loan and other operating balances with the Lawyers Insurance Fund. This net loan position fluctuates during the year as amounts are transferred between the Fund and the Lawyers Insurance Fund to finance ongoing operations.

Interest paid to the Lawyers Insurance Fund totalled \$588,697 (1998 – \$524,931) after deduction of approximately \$41,531 (1998 – \$91,652) of interest revenue received from Fund cash balances held by the Lawyers Insurance Fund during the year.

Other interfund transactions are disclosed elsewhere in these financial statements.

6. Financial instruments

The fair values of the Fund's financial assets and liabilities approximate their carrying values as presented on the statement of financial position.

7. Comparative figures

Certain comparative figures on the statement of financial position have been restated to conform to the current year's format.

8. Uncertainty due to the Year 2000 Issue

The Year 2000 Issue arises because many computerized systems use two digits rather than four to identify a year. Date-sensitive systems may recognize the year 2000 as 1900 or some other date, resulting in errors when information using year 2000 dates is processed. In addition, similar problems may arise in some systems which use certain dates in 1999 to represent something other than a date. Although the change in date has occurred, it is not possible to conclude that all aspects of the Year 2000 Issue that may affect the Society, including those related to customers, suppliers, or other third parties, have been fully resolved.

Financial Statements

For the year ended December 31, 1999

STATEMENT OF FINANCIAL POSITION as at December 31, 1999

	1999 \$	1998 \$
Assets		
Current assets		
Cash and cash equivalents	721,249	416,388
Accrued interest receivable	93,535	77,826
Due from General Fund (note 3)	—	186,868
	<u>814,784</u>	<u>681,082</u>
Investments (note 2)	<u>9,189,514</u>	<u>9,375,819</u>
	<u>10,004,298</u>	<u>10,056,901</u>
Liabilities		
Current liabilities		
Accounts payable and accrued liabilities	55,192	9,125
Deferred revenue	1,025,850	770,270
Due to General Fund (note 3)	<u>30,668</u>	<u>—</u>
	<u>1,111,710</u>	<u>779,395</u>
Net assets		
Unrestricted net assets	<u>8,892,588</u>	<u>9,277,506</u>
	<u>10,004,298</u>	<u>10,056,901</u>
Claims (note 4)		

Approved by

President

Chair of Audit Committee

STATEMENT OF REVENUE AND EXPENSE

	1999 \$	1998 \$
Revenue		
Annual assessment	997,616	1,012,345
Investment and interest income	<u>563,061</u>	<u>1,017,418</u>
	<u>1,560,677</u>	<u>2,029,763</u>
Expense		
Allocated office rent	45,360	45,360
Audit	10,000	9,000
Claims and costs	45,692	44,061
Contribution to costs of General Fund		
Administrative	455,772	380,009
Co-sponsored program costs	519,908	220,435
Counsel costs	38,390	19,487
Custodians' fees, net of recoveries	308,771	246,217
Insurance premium	139,000	137,065
Investment brokers' fee	16,915	16,632
Miscellaneous	53,666	40,983
Salaries, wages and benefits	188,590	170,336
Spot audits and related costs	<u>123,531</u>	<u>117,488</u>
	<u>1,945,595</u>	<u>1,447,073</u>
Excess (deficiency) of revenue over expense for the year	<u>(384,918)</u>	<u>582,690</u>

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STATEMENT OF CHANGES IN NET ASSETS

	1999 \$	1998 \$
Unrestricted net assets – beginning of year	9,277,506	8,694,816
Excess (deficiency) of revenue over expense for the year	<u>(384,918)</u>	<u>582,690</u>
Unrestricted net assets – end of year	<u>8,892,588</u>	<u>9,277,506</u>

NOTES TO FINANCIAL STATEMENTS

1. Significant accounting policies and description of the Fund

Description of the Fund

The Special Compensation Fund (the Fund) is maintained by The Law Society of British Columbia (the Society) pursuant to section 31 of the *Legal Profession Act* to reimburse persons who sustain a pecuniary loss as a result of the misappropriation or wrongful conversion by a member of the Society of money or other property entrusted to or received by the member in his or her capacity as a barrister or solicitor. The Fund is financed by members' annual assessments, and claims are recorded net of recoveries from the Fund's insurers when they have been approved for payment by the Special Compensation Fund Committee as delegated by the Benchers.

(continued on page 22)

The Law Society of British Columbia — SPECIAL COMPENSATION FUND
Financial Statements

For the year ended December 31, 1999

The Society is a not-for-profit organization and the Special Fund is considered to be non-assessable under current income tax legislation.

Allocated administrative expenses

Administrative expenses are recovered by the General Fund from the Fund. Recoveries are based on budgeted amounts derived either on a percentage of use or the percentage of the Fund's staff as compared to the Society's total direct program staff.

Cash and cash equivalents

Cash and cash equivalents comprise cash on hand, demand deposits, and short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Investments

Bonds are carried at amortized cost, providing for the amortization of the discount or premium on a straight-line basis to maturity. When an investment has experienced a loss in value that is other than temporary, the investment is written down to its estimated net realizable value. Realized gains and losses are included in the determination of excess (deficiency) of revenue over expense for the year.

Revenue recognition

The Society follows the deferral method of accounting for annual assessments. Assessments are billed and received in advance on a calendar-year basis. Accordingly, assessments for the next fiscal year received prior to December 31 have been deferred for financial reporting purposes and will be recognized as revenue in the next calendar year.

All other revenues are recognized when receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Statement of cash flows

A statement of cash flows has not been presented as it would not provide any additional meaningful information that is not already provided on the statement of financial position.

Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the financial statements and revenues and expenses for the period reported. Actual results could differ from those estimates.

Investments consist primarily of domestic government treasury bills, government bonds, and high grade corporate bonds, generally having a maturity up to six years.

The effective yield to maturity on the total portfolio is 6.06% (1998 – 4.93%).

3. Interfund balances

Amounts due to or from the General Fund are current and non-interest bearing.

4. Special Compensation Fund claims

Pursuant to section 31(6) of the *Legal Profession Act*, the payment of Fund claims is at the discretion of the Special Compensation Fund Committee as delegated by the Benchers. No provision has been made in these financial statements for claims not resolved by the Benchers. As at December 31, 1999, 108 claims or potential claims (1998 – 54 claims) were known to the Benchers but not yet determined. These claims amounted to approximately \$12,014,493 (1998 – \$6,724,263). If all claims were approved for approximate payment, \$5,075,364 (1998 – \$6,075,585) would be payable by the Fund and \$6,939,129 (1998 – \$648,678) by the Fund's insurers. These amounts do not include an estimate for claims attributable to 1999 or prior years that have not as yet been filed.

Effective January 1, 1997, the Society implemented a policy regarding the recognition of valid claims such that where the amount claimed is greater than \$1,000,000, and there is no evidence presented to support a claim in that amount, the claim is shown at \$1,000,000. One such claim has been notified in 1999 (1998 – four).

The Society has renewed its indemnity bond for January 1, 2000 to January 1, 2001. The bond provides that total claims attributable to the period in excess of \$2,500,000 are 100% reimbursed by a commercial insurer up to a maximum of \$15,000,000 for claims against one lawyer and in total. An annual aggregate cap has been placed on claims paid by the Fund, set at the deductible plus the limit of the purchased insurance, including co-insurance amounts. For 1999, this cap is \$17,500,000 (1998 – \$17,500,000).

5. Financial instruments

The fair values of the Fund's financial assets and liabilities approximate their carrying values as presented on the statement of financial position, except for the Fund's investments, which have market values as disclosed in note 2.

6. Uncertainty due to the Year 2000 Issue

The Year 2000 Issue arises because many computerized systems use two digits rather than four to identify a year. Date-sensitive systems may recognize the year 2000 as 1900 or some other date, resulting in errors when information using year 2000 dates is processed. In addition, similar problems may arise in some systems which use certain dates in 1999 to represent something other than a date. Although the change in date has occurred, it is not possible to conclude that all aspects of the Year 2000 Issue that may affect the Society, including those related to customers, suppliers, or other third parties, have been fully resolved.

2. Investments

	1999	1998
	\$	\$
Investments – at amortized cost (market value: \$9,136,916; 1998 – \$9,844,453)	<u>9,189,514</u>	<u>9,375,819</u>

Consolidated Financial Statements

For the year ended December 31, 1999

CONSOLIDATED STATEMENT OF FINANCIAL POSITION as at December 31, 1999

	1999 \$	1998 \$
Assets		
Cash and cash equivalents	6,071,373	9,787,394
Accounts receivable	196,954	247,690
Accrued interest receivable	636,818	564,793
Due from General Fund	432,429	—
Due from reinsurers	13,817,739	13,719,000
Due from members	1,894,000	2,293,000
General Fund building loan (note 4)	11,100,000	11,634,764
Investments (note 2)	<u>73,429,746</u>	<u>70,029,921</u>
	<u>107,579,059</u>	<u>108,276,562</u>

Liabilities and net assets

Accounts payable and accrued liabilities	656,413	586,254
Income taxes payable	17,680	1,648
Deferred revenue	4,108,340	4,263,848
Due to General Fund	—	1,726,477
Provision for settlement of insurance deductibles (note 5)	<u>72,679,304</u>	<u>66,652,025</u>
	77,461,737	73,230,252

Net assets

Unrestricted net assets	<u>30,117,322</u>	<u>35,046,310</u>
	<u>107,579,059</u>	<u>108,276,562</u>

Approved by

President

Chair of Audit Committee

CONSOLIDATED STATEMENT OF CHANGES IN NET ASSETS

	1999 \$	1998 \$
Unrestricted net assets – beginning of year	35,046,310	28,818,810
Net excess (deficiency) of revenue over expense for the year	<u>(4,928,988)</u>	<u>6,227,500</u>
Unrestricted net assets – end of year	<u>30,117,322</u>	<u>35,046,310</u>

* * *

CONSOLIDATED STATEMENT OF REVENUE AND EXPENSE

	1999 \$	1998 \$
Revenue		
Annual assessments	10,777,081	12,153,595
Investment income (note 2)	5,194,588	7,713,963
Other income	<u>27,005</u>	<u>11,782</u>
	<u>15,998,674</u>	<u>19,879,340</u>

Insurance expense

Actuary, consultant and investment broker fees	149,402	200,545
Allocated office rent	111,898	111,665
Audit	36,066	34,992
Contribution to costs of General Fund		
Administrative	997,700	1,027,954
Legal	928	7,368
Office	169,960	144,915
Premium taxes	9,606	7,441
Provision for settlement of insurance deductibles	17,581,000	10,414,000
Salaries, wages and benefits	<u>1,084,651</u>	<u>1,236,115</u>
	20,141,211	13,184,995

Loss prevention expense

Contribution to costs of General Fund		
Co-sponsored program costs	<u>768,771</u>	<u>465,197</u>
	<u>20,909,982</u>	<u>13,650,192</u>

Excess (deficiency) of revenue over expense before the following	(4,911,308)	6,229,148
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Income tax payable	<u>17,680</u>	<u>1,648</u>
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Net excess (deficiency) of revenue over expense for the year	<u>(4,928,988)</u>	<u>6,227,500</u>
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Consolidated Financial Statements

For the year ended December 31, 1999

**CONSOLIDATED STATEMENT
OF CASH FLOWS**

	1999 \$	1998 \$
Cash flows from operating activities		
Net excess (deficiency) of revenue over expense for the year	(4,928,988)	6,227,500
Add: Non-cash items		
Amortization of premium on bonds	769,523	562,113
Realized gain on disposal of investments	(483,634)	(2,667,128)
	(4,643,099)	4,122,485
Decrease (increase) in assets		
Accounts receivable	50,736	(169,695)
Accrued interest receivable	(72,025)	540,869
Due from reinsurers	(98,739)	10,282,000
Due from members	399,000	59,000
Due to/from General Fund	(2,158,906)	(4,393,931)
Increase (decrease) in liabilities		
Accounts payable and accrued liabilities	70,159	(90,597)
Income taxes payable	16,032	1,648
Deferred revenue	(155,508)	48,720
Provision for settlement of insurance deductibles	6,027,279	(9,495,331)
	(565,071)	905,168
Cash flows from investing activities		
Purchase of investments, net	(3,685,714)	(2,776,604)
Decrease in General Fund building loan	534,764	500,000
	(3,150,950)	(2,276,604)
Decrease in cash and cash equivalents	(3,716,021)	(1,371,436)
Cash and cash equivalents – beginning of year	<u>9,787,394</u>	<u>11,158,830</u>
Cash and cash equivalents – end of year	<u>6,071,373</u>	<u>9,787,394</u>

* * *

**NOTES TO CONSOLIDATED
FINANCIAL STATEMENTS****1. Significant accounting policies and description of the Fund****Description of the Fund**

The Lawyers Insurance Fund (the Fund) is maintained by The Law Society of British Columbia (the Society) pursuant to section 30 of the *Legal Profession Act*. The Society is a not-for-profit organization and only the consolidated LSBC Captive Insurance Company Ltd. (the Captive) is considered assessable for income tax under current legislation.

Administrative expenses are recovered by the General Fund of the Society from the Fund. Recoveries are based on budgeted amounts derived either on a percentage of use or the percentage of the Fund's staff as compared to the Society's total direct program staff.

Basis of consolidation

These consolidated financial statements include the accounts of the Fund and the Captive, a wholly owned subsidiary of the Society.

Cash and cash equivalents

Cash and cash equivalents comprise cash on hand, demand deposits, and short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Investments

Bonds and treasury bills are carried at amortized cost, providing for the amortization of the discount or premium on a straight-line basis to maturity. When an investment has experienced a loss in value that is other than temporary, the investment is written down to its estimated net realizable value. Realized gains and losses are included in the determination of net excess (deficiency) of revenue over expense for the year.

Reinsurance

The Society reflects reinsurance balances on the statement of financial position on a gross basis to indicate the extent of credit risk related to reinsurance and its obligations to policy holders.

Revenue recognition

The Society follows the deferral method of accounting for annual assessments. Assessments are billed and received in advance on a calendar-year basis. Accordingly, assessments for the next fiscal year received prior to December 31 have been deferred for financial reporting purposes and will be recognized as revenue in the next calendar year.

All other revenues are recognized when receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the financial statements and revenues and expenses for the period reported. Actual results could differ from those estimates.

2. Investments

	1999 \$	1998 \$
Investments, at book value (market value – \$71,922,315; 1998 – \$73,073,257)	<u>73,429,746</u>	<u>70,029,921</u>

Investments consist primarily of domestic government treasury bills, government bonds, and high grade corporate bonds, generally having a maturity of not more than 14 years.

Consolidated Financial Statements

For the year ended December 31, 1999

The effective yield to maturity on the total portfolio is 6.15% (1998 – 4.94%).

	1999 \$	1998 \$
Investment income		
Cash and treasury bills	619,394	542,434
Bond interest	4,272,386	4,541,584
Amortization of premium on bonds	(769,523)	(562,113)
Net interfund loan interest	588,697	524,930
Gain on sale of investments	<u>483,634</u>	<u>2,667,128</u>
Net investment income	<u>5,194,588</u>	<u>7,713,963</u>

3. Errors and omissions insurance claims

Effective January 1, 1990, the Fund began underwriting the program by which errors and omissions insurance is provided to members of the Society. The Society's members have coverage as follows:

	1999 \$	1998 \$
Deductible – member	5,000 or 10,000	5,000 or 10,000
Deductible – the Fund	995,000 or 990,000	995,000 or 990,000
Total coverage per occurrence	<u>1,000,000</u>	<u>1,000,000</u>
Annual aggregate per member	<u>2,000,000</u>	<u>2,000,000</u>

The amount of the member deductible is \$5,000 for each initial claim resulting in the payment of damages and \$10,000 for each additional claim within a three-year period resulting in the payment of damages.

Since January 1, 1997, the Captive has not renewed its annual reinsurance contracts, and therefore all losses on claims since 1997 will be fully borne by the Captive as primary insurer and reimbursed by the Society under agreement.

4. General Fund building loan

In 1992, the Benchers authorized the lending of monies from the Fund to fund the capital development of the Society's buildings at 839 and 845 Cambie Street, Vancouver, B.C. The loan has no fixed repayment terms and bears interest calculated monthly at a rate equal to the stated monthly yield to maturity earned on the Fund investment portfolio. It is the intention of the Society to repay a minimum of \$500,000 on the principal each year. During 1999, principal of \$534,764 (1998 – \$500,000) was repaid.

	1999	1998
Weighted average rate of return	<u>5.66%</u>	<u>5.31%</u>

5. Provision for settlement of insurance deductibles

The provision for settlement of insurance deductibles is an actuarially determined estimate for all costs of investigating and settling the Fund's portion of claims incurred prior to the statement of financial position date. The provision is an estimate subject to variability, which arises because all events affecting the ultimate settlement of claims have not taken place and may not take place for some

time. Variability can be caused by the receipt of additional information, changes in judicial interpretation, or significant changes in severity or frequency of claims from historical trends.

The provision is based on the historical claims experience of the Society and is reviewed annually by an independent actuary using updated information. All changes in provision estimates are expensed in the current period. Although the provision is believed to be adequate, it is based on estimates, and the final actual loss values may vary significantly from those estimated.

6. Interfund transactions

The operations of the Fund, the General Fund and the Special Compensation Fund are controlled by the management of the Society. Transactions between the Funds are recorded at fair values at the dates of the transactions.

Amounts due to and from the General Fund arise from transactions of an operating nature and have no fixed terms of repayment.

Monthly interest on the Fund's net loan position with the General Fund is paid to the Fund at a rate equal to the stated monthly yield to maturity earned on the Fund investment portfolio. The Fund's net loan position includes the General Fund building loan and other operating balances with the General Fund. This net loan position fluctuates during the year as amounts are transferred between the General Fund and the Fund to finance ongoing operations.

Interest received by the Fund totalled \$588,697 (1998 – \$524,931) after deduction of approximately \$41,531 (1998 – \$91,652) of interest revenue paid to the General Fund on General Fund cash balances held by the Fund during the year.

Other interfund transactions are disclosed elsewhere in these consolidated financial statements.

7. Regulatory requirements

The Captive is licensed under the *Insurance (Captive Company) Act* of B.C. The regulations of this Act require the Captive to maintain certain minimum reserves. The Captive was in compliance with those regulations as at December 31, 1999.

8. Fair value of financial instruments

The fair values of the Fund's financial assets and liabilities approximate their carrying values as presented on the consolidated statement of financial position, except for the Fund's investments, which have market values as disclosed in note 2, and the provision for settlement of insurance deductibles, which is presented on an undiscounted basis.

9. Uncertainty due to the Year 2000 Issue

The Year 2000 Issue arises because many computerized systems use two digits rather than four to identify a year. Date-sensitive systems may recognize the year 2000 as 1900 or some other date, resulting in errors when information using year 2000 dates is processed. In addition, similar problems may arise in some systems which use certain dates in 1999 to represent something other than a date. Although the change in date has occurred, it is not possible to conclude that all aspects of the Year 2000 Issue that may affect the Society, including those related to customers, suppliers, or other third parties, have been fully resolved.

1999 committees



*H.R. Berge,
Access to Justice Chair*



*J.S. Shackell, Q.C.,
Audit Chair*



*M. Martin,
Complainants' Review
Chair*



*R.S. Margetts,
Credentials Chair*



*K.F. Warner, Q.C.,
Discipline Chair*

Committee	Members and staff
Executive	<p>Benchers: W.T. Wilson, Q.C. (Chair), H.R. Berge, R.C. Gibbs, R.S. Margetts, M. Martin, J.S. Shackell, Q.C., K.F. Warner, Q.C., B.D. Woolley, Q.C.</p> <p>Staff: J.G. Matkin, J.G. Hoskins, D. Newell</p>
Access to Justice	<p>Benchers: H.R. Berge (Chair), W.M. Everett, Q.C., P.J. Keighley, M. Martin, R.W. McDiarmid, Q.C., E.M. Reid, Q.C., G.R. Toews</p> <p>Non-Benchers: Deborah Lynn Zutter</p> <p>Staff: C. Ensminger</p>
Audit	<p>Benchers: J.S. Shackell, Q.C. (Chair), R.C. Gibbs, G.J. Kambeitz, Q.C., D.P. Ramsay, Q.C., B.D. Woolley, Q.C.</p> <p>Non-Benchers: Lynn Burns, Dirk Sigalet</p> <p>Staff: M. Fitzgerald, D. Newell, N. Stajkowski</p>
Complainants' Review	<p>Benchers: M. Martin (Chair), A. Howard, R.D. Tunnicliffe</p> <p>Non-Benchers: Pinder Cheema, Robert Doran, Paul Love</p> <p>Staff: C. Picard</p>
Credentials	<p>Benchers: R.S. Margetts (Chair), A.K. Fung, R.C. Gibbs, G.J. Lecovin, J.S. Shackell, Q.C.,</p> <p>Non-Benchers: William Ehrcke, Q.C., Ann Gourley, Peter Warner, Q.C.</p> <p>Staff: D.F. Thompson, L. Small</p>
Discipline	<p>Benchers: K.F. Warner, Q.C. (Chair), H.R. Berge, J.A. Carmichael, W.M. Everett, Q.C., D.W. Gibbons, Q.C., A. Howard</p> <p>Non-Benchers: Deborah Lovett, Q.C., Steve Mulhall</p> <p>Staff: J. Whittow, M. Currie, J. Dent, B. Evans, T. Follett, J. Gossen, K. Gounden, L. Hlus, T. Holmes, P. Kalsi, G. Kierstead, K. Kim, M. Lucas</p>
Equity and Diversity	<p>Benchers: B.D. Woolley, Q.C. (Chair), J.A. Carmichael, A.K. Fung</p> <p>Non-Benchers: Hilal Bangash, Halldor Bjarnason, Hugh Braker, Terrance Brown, Valli Chettiar, Gerry Ferguson, barbara findlay, Angela Julien, Darlene Kavka, Ken Kramer, Kathy Louis, Beverly Nann, Armand Petronio, Michiko Sakamoto-Senge, Georgina Spilos, Tim Timberg, Henry Vlug</p> <p>Staff: K. Foo</p>

1999 committees



*B.D. Woolley, Q.C.,
Equity and Diversity
Chair*



*E.M. Reid, Q.C.,
Ethics Chair*



*R.D. Diebolt, Q.C.,
Practice Standards
Chair*



*P.J. Keighley,
Special Compensation
Fund Chair*



*R.S. Tretiak, Q.C.,
Unauthorized Practice
Chair*

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Practice Standards	Benchers: R.D. Diebolt, Q.C. (Chair), R.W. Gourlay, Q.C., M. Martin, R.W. McDiarmid, Q.C., R.S. Tretiak, Q.C. Non-Benchers: Frederick Hansford, Q.C., Tommy Tao Staff: D.F. Thompson, J. Whittow, D. Bilinsky, M. Fitzgerald, F.S. Folk, J. Morris, G. Myers
Special Compensation Fund	Benchers: P.J. Keighley (Chair), N. Fernando, R.W. Gourlay, Q.C., P.L. Schmit, W.J. Sullivan Non-Benchers: David Masuhara, Debra Sing, Q.C., Diane Turner Staff: M.A. Cummings
Unauthorized Practice	Benchers: R.S. Tretiak, Q.C. (Chair), G.J. Kambeitz, Q.C. Non-Benchers: James Herperger Staff: C. Wiseman

Bencher task force	Members and staff
Electronic Registration	Benchers: B.D. Woolley, Q.C. (Chair), R.S. Alexander, Q.C., G.J. Kambeitz, Q.C. Non-Benchers: Ron Friesen Staff: J.G. Matkin, R. Usher
Fee Review	Benchers: R.C. Gibbs (Chair) Non-Benchers: Patricia Bond, Hamish Cameron, Q.C. Staff: J.G. Hoskins
Futures	Benchers: R.S. Margetts (Chair), D.P. Ramsay, Q.C., W.J. Sullivan, R.D. Tunnicliffe, K.F. Warner, Q.C., T.L. Brown, Q.C. (Life Bencher) Non-Benchers: Sabrina Ali, Judith Bowers, Q.C., Stan Lanyon, Q.C. Staff: A. Whitcombe

EXECUTIVE OFFICERS

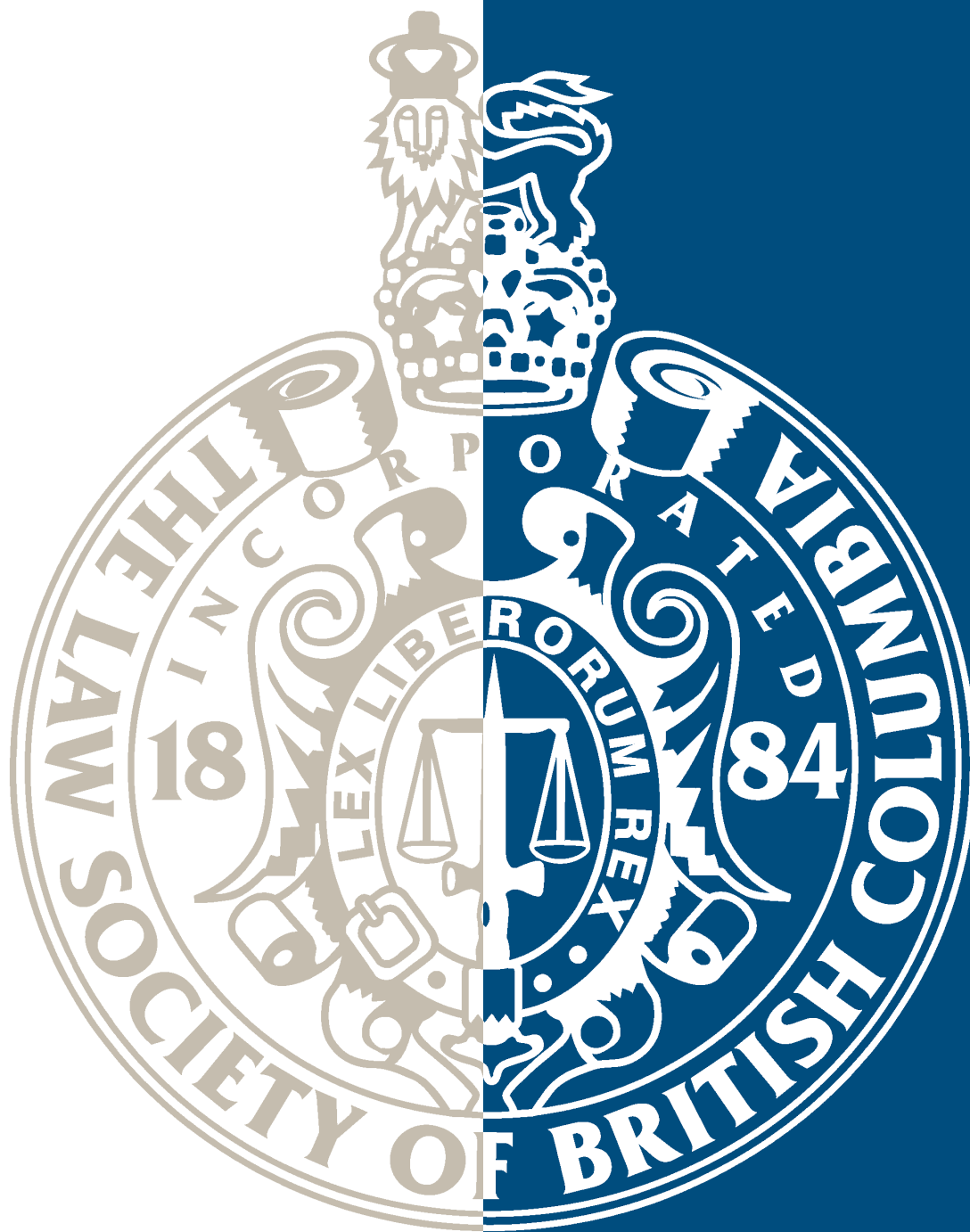
James Matkin
Executive Director
Donald Thompson
Deputy Executive Director
Jean Whittow
Deputy Executive Director

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Susan Atkinson
Helen Barclay
Katherine Barry (P/T)
Peter Beblo
David Bilinsky
Julie Boyce (P/T)
Susan Briggs
Sandra Brookes
Lane Brownell
Anne Brunton (P/T)
Ernest Brydon
Sherry Buchanan
Fatima Calado (P/T)
Stuart Cameron
Bernice Chong
Kathy Copak
Elizabeth Cordeau
Kiersten Cowdell
Mary Ann Cummings (P/T)
Margaret Currie
James Dent
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Monika Dudzic
Angela Dyer
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Kimberly Lynch
Alison MacDonald
Ian Maclaren
Dorothy Malcolm
Jerome Malysh
Brigitte Marteddu
Tanya McCullough
Naseem Mohamedali
Dick Moore
Jean-Pascal Morghese
Jacqueline Morris
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